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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
NGUYEN, LE V	
ART UNIT	**PAPER NUMBER**
2174	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/846,918	HII, SAMUEL S.	
	Examiner	Art Unit	
	Le Nguyen	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 7/12/04.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-39 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-39 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to an amendment filed 7/12/04.

2. Claims 1-3, 5-12, 14-22, 24-39 are pending in this application. Claims 1, 10, 19, 29 and 32 are independent claims; claims 4, 13 and 23 are cancelled; and claims 1-3, 5, 6, 10-12, 14, 15, 19-22, 24, 25, 29-32 and 35-39 are amended. This action is made Final.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

4. Claim 32 is objected to because of the following informalities: "potion", line 5 of page 9, needs to be changed to -- portion --. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "the graphical display element" of line 7 of claim 31 renders the claim indefinite, since claim 30 does not mention detecting the preliminary selection of the graphical display element.

Claim Rejections - 35 USC § 102

7. Claims 1-3, 5, 7, 9-12, 14, 16, 18-22, 24, 26, 28-32 and 35-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Wynn et al. ("Wynn", US 6,667,751 B1).

As per claim 1, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine, the method comprising:

receiving, from a user, a selection of a first graphical image (col. 6, lines 18-43) and displaying a full image of the first graphical image within a display area of a user interface (figs. 11 and 12; col. 6, lines 18-43; *described is navigational tool to review web browser history wherein user's selection of a first graphical image is displayed in the full-size frame*);

receiving, from the user, a selection of a second graphical image (col. 6, lines 18-43) and displaying a full image of the second graphical image within the display area of the user interface in place of the full image of the first graphical image (figs. 11 and 12 col. 6, lines 18-43; *described is navigational tool to review web browser history wherein user's selection of a second graphical image is displayed in the full-size frame*);

generating a graphical display element representing only the first graphical image, the graphical display element including a textual description corresponding to the first graphical image (fig. 10; col. 9, lines 5-15; col. 9, lines 50-56; *displays of graphical display elements 154 including titles and position information containing the document source address are displayed along with pop-up page image viewer*);

generating a representation of at least a partial image of the first graphical image for use as a preview of the graphical image (fig. 10; col. 9, line 20 and lines 5-15; *1101 is a preview of the graphical image*);

detecting a preliminary selection of the graphical display element (fig. 10; col. 6, lines 18-43; col. 9, lines 1-11);

responsive to detecting the preliminary selection of the graphical display element, displaying the preview of the first graphical image, the preview including a pop-up window presented to the user within a second portion of the display area that includes the generated representation of the first graphical image (fig. 10; col. 9, lines 5-15; *the pop-up window is responsive to user's preliminary selection and is a thumbnail/representation of the first graphical image; the pop-up allowing users to preview the first graphical image before final selection and activation of a "go to" control*);

displaying the graphical display element within a portion of the display area of the user interface at an edge of the second graphical image (fig. 11; *graphical display element is within a portion of the browser/display area of the user interface and is aligned at an edge to graphical images/second graphical image*).

detecting a final selection of the graphical display element (col. 9, lines 23-35; *user activation of a final selection or "go to" control, e.g. activation upon release of slider control at a specific 154 location*); and

responsive to detecting the final selection of the graphical display element, displaying the full image of the first graphical image in place of the full image of the second graphical image within the display area (figs. 11 and 12; col. 9, lines 23-35).

As per claim 2, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein said displaying the preview of the corresponding graphical image comprises displaying a thumbnail of the first graphical image (figs. 10-11; col. 9, lines 17-22; *thumbnail 1101 corresponds to the Web page/graphical image*).

As per claim 3, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the method comprises generating the thumbnail of the first graphical image (col. 6, lines 46-51).

As per claim 5, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine, the first graphical image comprising a Web page (figs. 10-11; col. 9, lines 17-22; *thumbnail 1101 corresponds to the Web page*).

As per claim 7, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the method comprises, in response to detecting the preliminary selection of the graphical display element, displaying a textual indication of the content of the graphical image (fig. 10, *element 1102*; col. 9, lines 19-22).

As per claim 9, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the user machine comprises a graphical pointing device, and the final selection of the graphical display element comprises depressing a button of the graphical pointing device while a pointer of the graphical pointing device is over the graphical display element (col. 9, lines 5-8).

Claim 10 is similar in scope to claim 1 and is therefore rejected under similar rationale.

Claim 11 is similar in scope to claim 2 and is therefore rejected under similar rationale.

Claim 12 is similar in scope to claim 3 and is therefore rejected under similar rationale.

Claim 14 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 7 and is therefore rejected under similar rationale.

Claim 18 is similar in scope to claim 9 and is therefore rejected under similar rationale.

Claims 19 and 20 in combination is similar in scope to claim 1 and is therefore rejected under similar rationale.

Claim 21 is similar in scope to claim 2 and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 3 and is therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Claim 26 is similar in scope to claim 7 and is therefore rejected under similar rationale.

Claim 28 is similar in scope to claim 9 and is therefore rejected under similar rationale.

As per claim 29, Wynn teaches a method for displaying a plurality of graphical images using a computer having a graphical pointing device comprising the steps of displaying a first graphical image in a display area of a user interface (figs. 11 and 12; col. 6, lines 18-43), displaying a graphical display element in a portion of the display area at an edge of the first graphical image, the graphical display element corresponding to a second graphical image and including a textual description of the second graphical image by a user (figs. 10 and 11; col. 6, lines 18-43; col. 9, lines 1-15), responsive to detecting the preliminary selection of the graphical display element by a user, displaying a preview of the second graphical image as a pop-up window in a portion of the display area, the preview including at least a partial image of the second graphical image (fig. 10; col. 9, lines 5-15).

As per claim 30, Wynn teaches a method for displaying a plurality of graphical images using a computer having a graphical pointing device comprising the steps of detecting a final selection of the graphical display element and responsive to detecting

the final selection of the graphical display element, ceasing display of the first graphical image and displaying the second graphical image (figs. 10-12; col. 6, lines 35-51; col. 9, lines 23-35 and 39-43).

As per claim 31, Wynn teaches a method for displaying a plurality of graphical images using a computer having a graphical pointing device comprising after the final selection, displaying a second graphical element corresponding to the first graphical image in a portion of the display area, detecting a preliminary selection of the second graphical display element corresponding to a first graphical image (figs. 10-12; col. 6, lines 18-51; col. 9, lines 1-35; *after the last selection/the final selection of claim 30 having been made, display area 31 displays a second graphical display element corresponding to the Web page/first graphical image in a portion of the display area 31*), responsive to detecting the preliminary selection of the graphical display element corresponding to a first graphical image, displaying a preview of the first graphical image as a pop-up window in the display area, the preview including at least a partial image of the first graphical image (fig. 10; col. 9, lines 5-15), detecting a final selection of the second graphical display element and responsive to detecting the second graphical display element, ceasing display of the second graphical image and displaying the first graphical image in the display (figs. 11 and 12; col. 9, lines 23-35)

As per claim 32, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine, the method comprising retrieving a first Web page selected by a user from the network (figs. 1, 3-5, 10-12 *and respective portions of the specification*), displaying a graphical display

element representing the first Web page in a portion of a display area of a user interface, the graphical display element comprising a textual description of the first Web page (figs. 10-12; col. 6, lines 18-51; col. 9, lines 1-35), detecting a preliminary selection of the graphical display element, responsive to the preliminary selection of the graphical display element, displaying a preview of the first Web page including at least a partial image of the first Web page (fig. 10; col. 9, lines 5-15), detecting a final selection of the graphical display element and responsive to detecting the final selection of the graphical display element, displaying the first Web page (figs. 11 and 12; col. 9, lines 23-35).

As per claim 35, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine comprising retrieving and displaying a second Web page selected by the user, and replacing the second Web page with the first Web page (fig. 10; col. 6, lines 35-51; col. 9, lines 5-15 and lines 23-35).

As per claim 36, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine said final selection of the graphical display element comprising an actuation of a button while a cursor of a pointing device is over the graphical display element (col. 9, lines 29-35).

As per claim 37, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine the method comprising the steps of receiving configuration instructions from the user and configuring the preview according to the instructions (col. 6, lines 46-62).

As per claim 38, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the at least partial image of the first Web page comprises a cropped image of the first Web page (figs. 10, *element 1101*).

As per claim 39, Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the at least partial image of the first Web page comprises a thumbnail image of the first Web page (figs. 10, *element 1101*).

Claim Rejections - 35 USC § 103

8. Claims 6, 15 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynn et al. ("Wynn", US 6,667,751 B1) in view of Robertson et al. ("Robertson", US 6,486,895).

As per claim 6, although Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine, the graphical display element comprising a representation of a control having a position selector and indicator within the display area, Wynn does not explicitly disclose the representation to be a tab. Robertson teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the graphical display element is a representation of a tab (fig. 3; col. 6, lines 32-37; col. 11, lines 40-43; *e.g. tabs 313, 318, 319 as well as 320*). Therefore, it would have been obvious to an artisan at the time of the invention to include Robertson's teaching of a tab as a graphical

display element to Wynn's teaching of a control as a graphical display element in order to provide users with an alternative or additional implementation preference.

Claim 15 is similar in scope to claim 6 and is therefore rejected under similar rationale.

Claim 25 is similar in scope to claim 6 and is therefore rejected under similar rationale.

9. Claims 8, 17, 27, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynn et al. ("Wynn", US 6,667,751 B1) in view of Mernyk et al. ("Mernyk", US 6,496,206).

As per claim 8, although Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the user machine comprises a graphical pointing device, and the preliminary selection of the graphical display element comprises placement of a pointer of the graphical pointing device over the graphical display element and depressing a button of the graphical pointing device (col. 9, lines 5-8), Wynn does not explicitly disclose that selection is made upon placement of a pointer of the graphical pointing device over the graphical display element without depressing a button of the graphical pointing device. Mernyk teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the user machine comprises a graphical pointing device, and the preliminary selection of the graphical display element comprises placement of a pointer of the graphical pointing device over the graphical display element (fig. 2; col. 4, lines 10-25). Therefore, it would have been obvious to an

artisan at the time of the invention to include Mernyk's preliminary selection of the graphical display element comprising placement of a pointer of the graphical pointing device over the graphical display element to Wynn's preliminary selection of the graphical display element comprising placement of a pointer of the graphical pointing device over the graphical display element and depressing a button of the graphical pointing device in order to save time and provide users with a method that does not require an additional action.

Claim 17 is similar in scope to claim 8 and is therefore rejected under similar rationale.

Claim 27 is similar in scope to claim 8 and is therefore rejected under similar rationale.

As per claims 33 and 34, although Wynn teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the preliminary selection of the graphical display element comprises a cursor of a pointing device moving/pausing over the graphical display element and depressing a button of the graphical pointing device (col. 9, lines 5-8), Wynn does not explicitly disclose that selection is made upon a cursor of a pointing device moving/pausing over the graphical display element without depressing a button of the graphical pointing device. Mernyk teaches a machine readable medium containing configuration instructions for performing a method on a user machine wherein the preliminary selection of the graphical display element comprises a cursor of a pointing device moving/pausing over the graphical display element (fig. 2; col. 4, lines 10-25).

Therefore, it would have been obvious to an artisan at the time of the invention to include Mernyk's preliminary selection of the graphical display element comprising placement of a cursor of a pointing device moving/pausing over the graphical display element to Wynn's preliminary selection of the graphical display element comprising placement of a cursor of a pointing device moving/pausing over the graphical display element and depressing a button of the graphical pointing device in order to save time and provide users with a method that does not require an additional action.

Response to Arguments

10. Applicant's arguments filed 7/12/04 have been fully considered but they are not persuasive.

Applicant argued the following:

(a) Wynn does not include the amended textual description of the graphical image represented;

(b) Mernyk does not teach placing graphical display elements at an edge of a currently viewed image as amended; and

(c) As has been amended, Robertson does not teach the use of pop-up windows to preview previously-viewed pages.

The examiner disagrees for the following reasons:

Per (a), Wynn does teach a textual description of the graphical image represented, the textual description comprising titles and position information containing the document source address (fig. 10; col. 9, lines 5-15; col. 9, lines 50-56);

Per (b), Wynn teaches placing graphical display elements at an edge of a currently viewed image (fig. 11; *graphical display element is within a portion of the browser/display area of the user interface and is aligned at an edge to graphical images/second graphical image*).

Per (c), Wynn teaches the use of pop-up windows to preview previously-viewed pages (fig. 10; col. 9, lines 5-15; col. 9, lines 50-56; *displays of graphical display elements 154 including titles and position information containing the document source address are displayed along with pop-up page image viewer*).

Inquires

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN
Patent Examiner
November 16, 2004

Kristine Kincaid
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